



## INTERSTATE COMMISSION FOR JUVENILES

### EXECUTIVE COMMITTEE MEETING

#### *Minutes*

Thursday, April 22, 2010

11:00 a.m. EST

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#### **Committee Members in Attendance**

1. Donna Bonner (TX) Commissioner, Chair
2. Ray Wahl (UT) Commissioner, Vice Chair
3. Dennis Casarona (KS) Commissioner, Treasurer
4. Judy Miller (AR) Designee
5. Summer Foxworth (CO) Commissioner
6. Lisa Bjergaard (ND) Commissioner
7. Dale Dodd (NM) Commissioner
8. Terry Clark (PA) Commissioner
9. Mary McGhee, Victims Ex-Officio

#### **Committee Members Not in Attendance**

1. Jean Hall (FL) Commissioner
2. Clarence Powell (MS) Designee
3. Mike Reddish (NE) Commissioner
4. Gary Hartman (WY) Commissioner

#### **Guests in Attendance**

None

#### **ICJ Staff in Attendance:**

1. Ashley Lippert, Executive Director
2. Jack Branum, Project Manager
3. Emma Davis, Administrative and Logistics Coordinator
4. Rick Masters, Legal Counsel

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#### **Call to Order**

Chair D. Bonner called the meeting to order at 11:00 a.m. EST.

#### **Roll Call**

A. Lippert (ICJ) called the roll. Nine of the thirteen members were present. Eight of the twelve *voting* members were present. A quorum was established.

## Agenda

Chair Bonner asked for a motion to approve the agenda. **S. Foxworth (CO) moved to approve the agenda. T. Clark (PA) seconded. The agenda was approved as presented.**

## Minutes

Chair Bonner asked for a motion to approve the minutes from the last meeting. **J. Miller (AR) moved to approve the minutes of March 31, 2010. D. Dodd (NM) seconded. The minutes were approved as amended.**

## Executive Director Report (presented by Ashley Lippert)

### *Current Outreach*

- The ICJ National Office sent letters to all non-members state Governors, Attorneys General, House Speakers and Senate Presidents. Additionally, letters were sent to Ex-Officios requesting support. The American Probation and Parole Association quickly responded and communicated with Ohio.
  
- 1. **Virgin Islands** – Newest member to the ICJ Compact. Commissioner Finch, Human Services Commissioner, and Patricia Welcome, Compact Administrator, are aware the next step is to have a Commissioner appointed. A. Lippert continues to assist in the start up process, and Virgin Islands hopes to attend the annual meeting in September.
- 2. **Ohio** – Continues to move forward with legislative passage anticipated this year.
- 3. **Iowa** – The bill passed the House and the Senate and awaits the Governor's signature.
- 4. **Minnesota** – Indicated the ICJ letter proved beneficial.

### *OJJDP Policy: Secure Detention for Runaways*

- A. Lippert contacted the OJJDP office relative to detaining non-delinquent juvenile runaways. A. Lippert and Kathi Grasso, OJJDP Attorney, will conference later today.

### *ICJ - ICPC MOU*

- The Memorandum of Understanding between ICJ and ICPC has been drafted and reviewed by R. Masters and Mike Reddish. A. Lippert and C. Fults will meet to discuss the agreement the week of May 10 via teleconference. The ICPC Ad Hoc Committee will then review and forward a recommendation to the Executive Committee.

### *Youth Today Magazine*

- A. Lippert contacted the editor of *Youth Today* relative to an archived ICJ article from March 1998. The editor has been assigned and Ms. Lippert will forward updated information.

### *Website*

- J. Branum, National Office, continues to update the ICJ website, links to State pages and the Sex Offender Matrix survey.

### *ICJ Investment Options*

- A. Lippert reported her communication with Wade Littrell, CFO, for the Council of State Governments. The Council maintains a long term investment portfolio for ICJ and other

CSG affiliates. The investment portfolio ratio of 60/40 equity/fixed income is comprised of two investment funds: Vanguard Long Term Index and Vanguard Immediate Bond. The current annual percentage rate is 1.75 percent and liquid. Mr. Littrell offered the CSG guidelines for investment options and cautioned against time restrained non-accessible funds until a determined level of reserved equity is achieved.

- R. Wahl (UT) expressed concern to the low rate of return and confinement to the CSG investment options. A. Lippert clarified ICJ may look at other options, however, CSG will not seek other investment options solely for ICJ.
- D. Casarona (KS) noted the rate is higher than the national average for Certificates of Deposit and agreed liquidity is valued with the uncertainty of future expenses towards the development of the ICJ National System Project.
- R. Wahl (UT) agreed and suggested to revisit. The Committee agreed to postpone further discussion of investment options.

#### *Grant – National System Project*

- The American Probation Parole Association contacted A. Lippert to collaborate with ICJ in applying for the National Justice Information Sharing Initiative Grant by May 18. A. Lippert continues to work with their grant writer in an effort to obtain funding towards defining requirements and/or initial development of the ICJ National System.

#### *2011 Annual Meeting*

- A. Lippert informed the Committee that Norfolk Waterside Marriott and ICJ have entered into a contract for the 2011 Annual Meeting on October 23-27.

#### *National Office Staff*

- A. Lippert updated the Committee on the ICJ National Office Staff by announcing Emma Davis has joined the staff full time in the capacity of Administrative and Logistics Coordinator. A. Lippert will continue to conduct interviews for the 4<sup>th</sup> position and pursue office space with CSG.

### **Committee Reports**

#### **Executive Committee** (presented by Donna Bonner)

- Chair Bonner approved the Governor's letters and was pleased with the positive response. Chair Bonner will be traveling next week to Lexington, Kentucky, to attend the JAD Session II.

#### **Finance Committee** (presented by Lisa Bjergaard)

- Chair Bjergaard updated the Executive Committee on the 2010 Budget which appears to be on target.
- The Finance Committee recommended to the Executive Committee that dues be waived for non-member states that join in the last quarter of the fiscal year (April, May, June).

- J. Miller (AR) questioned the difficulty to administer pro-rated dues.
- A. Lippert clarified the administrative process is not difficult. The prorated FY '10 invoice and annual FY '11 invoice are sent in the same month before the new member will be up and running and no time to realize any benefits of the Commission in the current fiscal year.
- S. Foxworth (CO) expressed concern that others would wait until the last quarter to utilize the waiver.
- R. Wahl (UT) responded December 2 is the cutoff date for the transition rule. D. Casarona (KS) noted legislative sessions and fiscal years run differently from state to state.
- **R. Wahl made the motion to waive the prorated dues when a state joins within the last quarter of the fiscal year. J. Miller (AR) seconded. The motion passed.**
- Chair Bjergaard reported the Finance Committee will meet again in June and August prior to the annual meeting.

#### **Training, Education & Public Relations Committee** (reported by Ashley Lippert)

- A. Lippert informed the Executive Committee that the National Office is assisting the Training Committee with one rules training session per month via WebEx. The field staff training power point is in the process of being updated.
- Chair Hall and the National Office discussed and agreed that during the 2010 Annual Meeting training topics will be: Commissioner training, ICPC training, and State Council training. Other topics for training will be considered for the 2011 Annual Meeting. At the conclusion of the Annual Business Meeting, an evaluation survey will request input for training topics desired going forward during the annual meetings.
- The next scheduled Training Committee meeting is May 6.

#### **Rules Committee** (reported by Ashley Lippert)

- A. Lippert reported the Rules Committee divided into two sub-committees to cover all the rule amendments presented to the Rules Committee. Sub-committee 1, chaired by G. Hartman (WY), is addressing amendments to Rules in Sections 100 and 600. Sub-committee 2, chaired by B. Greer (IL), is addressing amendments to Rules in Sections 400 and 500. Both sub-committees met this week. Sub-Committee 1 will meet again on May 20. Sub-committee 2 will meet again May 13 and the full Rules Committee will convene again on May 6.
- Chair Hartman proposed a face to face meeting in July in Lexington to review all comments received during the 30-day comment period.

## **Compliance Committee** (presented by Summer Foxworth)

### *Maryland/Virginia Issue*

- Chair Foxworth confirmed penalty letters were received by Maryland and Virginia to complete statewide remedial training and technical assistance by July 12 per Compact Article XI, Section B.1.a.
- Chair Foxworth received a call from the Maryland Communications Director requesting documentation submitted by Maryland.
- R. Masters, Legal Counsel, advised that any request for information received during an investigation must come in the form of a certified letter to the Commission containing the specific information being requested.
- J. Miller (AR) questioned the proof of completion of training in the designated time frame.
- The Committee discussed preparing an inquiry letter for Chair Foxworth's signature regarding the status of the training to be mailed certified 45 days prior to July 12.

## **Technology Committee** (reported by Ashley Lippert)

- A. Lippert reported the JAD Session II will take place in Lexington KY April 26 and 27. The next Technology Committee meeting is scheduled for May 5.

## **Region Reports**

### **Regional Representatives** (presented by Terry Clark)

- T. Clark (PA) announced the Regional Reps next meeting is scheduled for June 3.

### **East Region** (presented by Terry Clark)

- T. Clark (PA) reported the East Region held a meeting on April 9 to discuss proposed rule amendments submitted to the East Region by NJ. Due to the lack of a quorum, the suggested proposals were circulated for vote via email. The majority of the East Region agreed with the recommendations and forwarded the amendments to the Rules Committee. The Rules Committee made suggestions which were taken back to the East Region for consideration.

### **South Region** (presented by Judy Miller)

- J. Miller (AR) reported that she received occasional calls for an opinion on current rules.

### **Mid-West Region / ICPC Ad Hoc Committee**

- No Report for the Mid-West Region. The ICPC Report was covered in A. Lippert's report.

**West Region / Sex Offender Ad Hoc Committee** (presented by Dale Dodd)

- Chair Dodd contacted four states in the West Region to solicit Sex Offender Survey results and two complied. Chair Dodd stressed the importance of 100 percent participation from all states including those not signatory to the new Compact.
- Rule 4-103: Transfer of Supervision Procedures was not recommended by the Rules Committee as submitted. The Sex Offender Ad Hoc Committee will meet to review the suggestions and recommendations made by the Rules Committee.

**Victims Representative Report** (presented by Mary McGhee)

- M. McGhee announced that the Week of April 18-24 is National Crime Victim's Week and information relative to the national campaign is located on the internet site: [www.crimevictims.gov](http://www.crimevictims.gov).
- M. McGhee and A. Lippert spoke on a conference call last week. M. McGhee reported she is currently following up on ways to best serve the ICJ and will report next meeting.
- Chair Bonner expressed the Executive Committee's appreciation to M. McGhee for her attendance and willingness to serve.
- T. Clark (PA) requested M. McGhee to review the proposed Rule 4-107: Victim Notification as submitted by the East Region. M. McGhee agreed to review and forward her response T. Clark (PA) and A. Lippert.

**Litigation Report** (presented by Rick Masters)

- R. Masters, Legal Counsel, has been in contact with Deputy Attorney General, Jim Lee, who represents the Rhode Island Department of Youth Services.
- R. Masters, Legal Counsel, updated the Executive Committee on the Rhode Island Litigation.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

There was no new business.

**Adjourn**

The next meeting is scheduled Thursday, May 27, 2010 at 11:00 a.m. EST the day before a long holiday weekend. Chair Bonner requested the National Office to poll the members for attendance prior to confirming the next meeting. Chair Bonner adjourned the meeting at 12:18 p.m. EST.